

REMARKS/ARGUMENTS

The Applicant acknowledges, with thanks, the office action dated September 5, 2008, and completion of the personal interview of November 12, 2008. The Examiner's observations and suggestions are much appreciated and summarized herein. The Examiner's withdrawal of the finality of the previous office action is noted with appreciation. Claims 1, 3-8, 10-15, 17-22, and 24-28 are currently pending.

Claims 1, 3-8, 10-15, 17-22, and 24-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0147668 to Smith et al. (*hereinafter*, "Smith") in view of U.S. Patent No. 6,216,113 to Aikens (*hereinafter*, "Aikens"). In view of the amendments and arguments set forth below, it is submitted that all pending claims are patentably distinct over the art of record.

The subject application is directed to a system and method for automated accounting of document generating device usage comprising a plurality of document generating devices. Usage data representative of usage of a document generating device is acquired in accordance with a selected one of a plurality of user accounts, wherein the usage data includes at least one of copier usage data, print usage data, facsimile usage data, and scanning usage data. Report period data corresponding to a selected timing for transmission of accumulated usage data is received from an accounting administrator via a data network. Accumulated usage data from each of a plurality of document generating device operations is locally stored, and received report period data is also locally stored. Time data is output corresponding to a preselected reporting period interval. The usage data is periodically outputted to an associated accounting administrator in accordance with the report period data and time data so as to include a timed output of usage data accumulated over the reporting period interval. A reset signal representative of a reset of at least a portion of accumulated usage data is received from the associated accounting administrator via the data network, and locally stored accumulated usage data is reset to a previous state upon receipt of a reset signal.

As discussed during the Interview, Smith is directed to a system that indicates time spend on a particular job (see, e.g., Fig. 5o), but not timing relative to a reporting period and reporting interval. Amendment has been made to each of independent claims 1, 8, 15 and 22 to further clarify that the timing includes a duration and reporting interval selected in advance for a device.

As clarified, all claims include limitations not taught by Smith, and which limitations advantageously teach administrative control over reporting intervals and timing which does not require a poll of devices for information, placing the reporting timing and duration as the responsibility of each device in accordance with preset timing. In addition, an administrator has an ability to manually reset a device when sufficient information has been reported.

The deficiencies in the teachings of Smith relative to the amended claims are not remedied by any additional teachings of Aikens, which is cited relative to teaching particular information that is reported from the audiotron that forms the subject thereof.

In accordance with the afore-noted amendments and comments, it is submitted that all claims are patentably distinct over the art, and in condition for allowance thereover. An early allowance of all claims is respectfully requested.

If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 66329/31337.

Date: 11/19/08

Respectfully submitted,



Susan L. Mizer
Registration No. 38,245
TUCKER ELLIS & WEST LLP
1150 Huntington Bldg.
925 Euclid Ave.
Cleveland, Ohio 44115-1414
Customer No.: 23380
Tel.: (216) 696-3466
Fax: (216) 592-5009